

PROPOSITION 101

OFFICIAL TITLE

HOUSE CONCURRENT RESOLUTION 2008

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA;
AMENDING ARTICLE V, SECTION 12, CONSTITUTION OF ARIZONA;
RELATING TO SALARIES FOR ELECTED STATE OFFICERS.

TEXT OF PROPOSED AMENDMENT

Be it resolved by the House of Representatives of the State of Arizona, the Senate concurring:

1. Article V, section 12, Constitution of Arizona, is proposed to be amended as follows if approved by the voters and on proclamation of the Governor:

12. Compensation of elective state officers; Arizona citizens commission on salaries for elective state officers

Section 12. A. The salaries of those holding elective state offices shall be as established by law from time to time, subject to the limitations of article 6, section 33 and to the limitations of article 4, part 2, section 17. Such salaries as are presently established may be altered from time to time by the procedure established in this section or as otherwise provided by law ~~except that legislative salaries may be altered only by the procedures established in this section.~~

B. A commission to be known as the ARIZONA CITIZENS commission on salaries for elective state officers is authorized to be established by the legislature. NO ELECTIVE STATE OFFICER, PERSON REQUIRED BY LAW TO REGISTER AS A LOBBYIST OR IMMEDIATE FAMILY MEMBER OF AN ELECTIVE STATE OFFICER OR LOBBYIST MAY SERVE AS A MEMBER OF THE COMMISSION. The commission shall be composed of:

1. ~~five SIX members OF THE PUBLIC appointed from private life, two of whom shall be appointed by the governor and one each by the president of the senate, the speaker of the house of representatives, and the chief justice~~ SECRETARY OF STATE EACH OF WHOM SHALL BE A RESIDENT OF A DIFFERENT CONGRESSIONAL DISTRICT IN ARIZONA .

2. FIVE MEMBERS APPOINTED JOINTLY BY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. EACH OF THE MEMBERS APPOINTED PURSUANT TO THIS PARAGRAPH SHALL HAVE HAD EXPERIENCE IN THE FIELD OF PERSONNEL MANAGEMENT AND EACH OF THE FOLLOWING SHALL BE REPRESENTED:

- (a) INSTITUTIONS OF HIGHER LEARNING.
- (b) BUSINESS.
- (c) PROFESSIONAL PERSONNEL MANAGEMENT.
- (d) LAW.
- (e) EMPLOYEES WHO DO NOT CURRENTLY WORK IN A MANAGEMENT POSITION.

C. ~~At such times as may be directed by the legislature~~ BEGINNING IN 1999, the commission shall report BIENNIALY to the governor, PRESIDENT

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Proposition 101

OF THE SENATE AND SPEAKER OF THE HOUSE OF REPRESENTATIVES BY DECEMBER 15 with recommendations concerning the rates of pay of elected state officers. ~~The governor shall upon the receipt of such report make recommendations to the legislature with respect to the exact rates of pay which he deems advisable for those offices and positions other than for the rates of pay of members of the legislature. Such recommendations shall become effective at a time established by the legislature after the transmission of the recommendation of the governor~~ SEPTEMBER 1, BEGINNING IN 2000, without aid of further legislative action unless, within such period of time, there has been enacted into law a statute which establishes rates of pay other than those proposed by the governor, or unless either house of the legislature specifically disapproves all or part of the governor's recommendation REFERRED TO THE BALLOT BY THE LEGISLATURE OR BY REFERENDUM PETITION OF THE PEOPLE PURSUANT TO ARTICLE IV, PART 1, SECTION 1 OF THE CONSTITUTION OF ARIZONA. FOR PURPOSES OF A REFERENDUM PETITION BY THE PEOPLE, THE NINETY DAY PERIOD FOR THE REFERENDUM PETITION SHALL BEGIN ON THE CLOSE OF THE REGULAR LEGISLATIVE SESSION IMMEDIATELY FOLLOWING THE ISSUANCE OF THE COMMISSION'S REPORT. ~~The recommendations of the governor, unless disapproved or altered within the time provided by law, shall be effective; and any 1971 recommendations shall be effective as to all offices on the first Monday in January of 1973. In case of either a legislative enactment or disapproval by either house, the recommendations shall be effective only insofar as not altered or disapproved. The recommendations of the commission as to legislative salaries shall be certified by it to the secretary of state and the secretary of state shall submit to the qualified electors at the next regular general election the question, "Shall the recommendations of the commission on salaries for elective state officers concerning legislative salaries be accepted? [] Yes [] No." Such recommendations if approved by the electors shall become effective at the beginning of the next regular legislative session without any other authorizing legislation. All recommendations which become effective under this section shall supersede all laws enacted prior to their effective date relating to such salaries.~~

2. The legislative council staff shall prepare proposed legislation conforming the Arizona Revised Statutes to the provisions of this measure for consideration in the forty-fourth legislature, first regular session.
3. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article XXI, Constitution of Arizona.

FINAL VOTE CAST BY THE LEGISLATURE ON HCR 2008

House -	Ayes, 52	Senate -	Ayes, 17
	Nays, 7		Nays, 9
	Not Voting, 1		Not Voting, 4

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ANALYSIS BY LEGISLATIVE COUNCIL
(In Compliance With A.R.S. Section 19-124)

Proposition 101 would amend the Arizona Constitution relating to salaries for elected state officers. Elected state officers are the Governor, the Secretary of State, the State Treasurer, the Attorney General, the Superintendent of Public Instruction, members of the Corporation Commission, members of the Legislature, the Mine Inspector, justices of the Arizona Supreme Court, judges of the Arizona Court of Appeals and judges of the Superior Court.

Under current law, the Commission on Salaries for Elective State Officers issues its recommendations to the Governor. The Governor then transmits those recommendations, with any changes, to the Legislature. The Legislature can amend those recommendations, or if the Legislature takes no action, the Governor's recommendations go into effect. This process applies to all elected state offices, except for members of the Legislature. Under current law, any change in the salary of members of the Legislature is submitted to a vote of the people.

Proposition 101 would rename the Commission as the Arizona Citizens Commission on Salaries for Elective State Officers. The Commission's membership would be increased from 5 to 11 members. Six of those members would be appointed by the Secretary of State, and the remaining five members would be appointed jointly by the Speaker of the Arizona House of Representatives and the President of the Arizona State Senate.

Proposition 101 would require the Arizona Citizens Commission on Salaries for Elective State Officers to report every two years to the Governor and the Legislature with recommendations for salaries for elected state officers, beginning in 1999. Those recommendations would go into effect unless either the Legislature or the people refer the recommendations to the ballot for a vote of the people.

ARGUMENT "FOR" PROPOSITION 101

Vote YES on Proposition 101

Arizona's elected officials and judges are servants of the people. The people should decide their compensation.

Proposition 101 would give an independent citizens' commission the power to set salaries without interference from powerful lobbyists or special political interest groups.

The majority of commission members would be people like you, each representing a different congressional district in the state. Other commission members would have experience in personnel and various professions. State officials, lobbyists or their families would no longer be allowed to serve on the commission. The people would have the final say. After the independent commission makes a decision, the people would have the power to change it by filing a referendum.

The salaries of elected officials should be based on realistic objective standards and not on political considerations or those of special interests. Under current law, members of the Legislature may specifically disapprove all or any part of the commission's recommendations. The current process allows for personalities, politics, and

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Proposition 101

powerful lobbyists to play a role. With the passage of Proposition 101, the independent citizens' commission would set salary levels according to the needs of the state.

By voting YES on Proposition 101, the potential for the Legislature to act out of self interest would be forever removed.

Rose Mofford
Former Governor, State of Arizona
Phoenix

ARGUMENT “AGAINST” PROPOSITION 101

The Secretary of State did not receive arguments against Proposition 101.

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BALLOT FORMAT

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RELATING TO SALARIES FOR ELECTED STATE OFFICERS.

DESCRIPTIVE TITLE

AMENDING ARIZONA CONSTITUTION TO INCREASE SALARY COM-
MISSION MEMBERSHIP FROM 5 TO 11 MEMBERS; COMMISSION REC-
OMMENDS SALARIES FOR ELECTIVE STATE OFFICERS EVERY 2
YEARS, BEGINNING 1999; COMMISSION RECOMMENDATIONS
BECOME FINAL, INCLUDING LEGISLATORS' SALARY RECOMMEN-
DATION, UNLESS LEGISLATURE OR THE PEOPLE PLACE REFEREN-
DUM ON SALARY RECOMMENDATIONS ON THE GENERAL ELECTION
BALLOT.

PROPOSITION 101

A "yes" vote shall have the effect of increasing the number of members on the commission on salaries for elective state officers and providing that the commission's recommendations become final, including Legislators' salaries, unless the Legislature or the People place a referendum on the salary recommendations on the General Election ballot.	YES <input type="checkbox"/>
A "no" vote shall have the effect of retaining the current method for determining salaries for elected state officers.	NO <input type="checkbox"/>

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